

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SHAQUITHIA LANETTE  
JACKSON,

Plaintiff,

Case No. 25-11143

v.

Hon. F. Kay Behm

SHERIFF ALYSHIA M.  
DYER, *et al.*,

Defendants.

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**ORDER REGARDING DEFENDANTS'  
MOTION TO DISMISS (ECF No. 15)**

Plaintiff Shaquithia Lanette Jackson filed this action on April 21, 2025, alleging a violation of her constitutional rights. On July 10, 2025, Defendants filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6). ECF No. 15.

Federal Rule of Civil Procedure 15(a)(2) states that courts should grant leave to amend a complaint “when justice so requires.” In the court’s view, under the present circumstances and at this early stage of the case, allowing Plaintiff an opportunity to amend serves the ends of justice. Accordingly, without expressing any view regarding the merits of the motion to dismiss, the court will afford Plaintiff the opportunity to cure

any purported deficiencies by filing an amended complaint. The court **ORDERS** that any amended complaint must be filed within 14 days of entry of this Order or within the time remaining for Plaintiff to respond to the motion, whichever is longer.

As a result, Plaintiff is presented with a choice of how to proceed. Plaintiff may file an amended complaint, in which case the court will deny without prejudice the currently pending motion to dismiss as moot, or Plaintiff may file a response to Defendants' motion. If Plaintiff elects not to file an amended complaint and instead file a substantive response, the court will rule on the pending motion and any dismissal may be with prejudice.

**SO ORDERED.**

Date: July 16, 2025

s/F. Kay Behm  
F. Kay Behm  
United States District Judge